

Exhibit

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 TYLER DIVISION

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DEPOSITION OF ALEXANDER B. TREVOR

May 17, 2005

Seattle, Washington

***** CONFIDENTIAL TRANSCRIPT *****

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INCORPORATED

One Penn Plaza . New York, New York 10119 . tel . 212.244.3990 . fax . 212.268.4828

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1 A Okay.

2 Q Actually, let's see. On Page 4 of the exhibit, take
3 a look for a moment. There is -- on the left-hand
4 side, there is a panel that has a number of icons,
5 including computers, forums, news, et cetera,
6 et cetera. Travel is listed on the lower left-hand
7 corner.

8 A Right.

9 Q Is that the option that would enable the
10 Travelshopper feature?

11 A What you have described is the browse menu. It's
12 kind of a top menu for CompuServe. And the travel
13 icon there, if you click on that or activate it,
14 would take you to the top-level CompuServe travel
15 menu, which includes many things, one of them being
16 CompuServe Travelshopper.

17 Q If you could for a moment, could you look at the row
18 immediately above the last -- the next to last row in
19 the browse menu?

20 A Okay.

21 Q There is an icon on the right-hand side of this row
22 that is labeled "Shopping."

23 A Right.

24 Q Do you have an understanding as to what the shopping
25 icon in the browse menu was intended to do at

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1 CompuServe?

2 A Again, that took you to the top-level shopping menu,
3 which included things like the CompuServe Electronic
4 Mall.

5 Q Do you have an understanding of what the shopping --
6 of what the CompuServe Electronic Mall offered to
7 CompuServe members?

8 A Yes.

9 Q Could you briefly describe that?

10 A Electronic Mall was a collection of online merchants,
11 kind of like a virtual mall of stores. And users
12 could enter those stores and purchase things.

13 Q Have you formed an opinion as to whether the
14 Electronic Mall feature offered by CompuServe is
15 relevant to the claims of the '314 or '492 patents?

16 A I haven't, no.

17 Q Have you been asked to consider that option?

18 A No.

19 Q So you don't have an opinion whether the Electronic
20 Mall option is relevant to the claims of the --

21 A I haven't really considered that. So, no, I don't
22 have an opinion right now.

23 Q Okay. All right. Flipping through the pages in this
24 exhibit, we see -- let's say, for example, at Page 7,
25 the CompuServe member dials a local access number.

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